

## REMARKS

### I. Status of Claims

Claims 98 and 106-120 are currently pending. Claims 1-48 were previously canceled, and claims 49-97 have been canceled herein without prejudice. Support for new claims 106-120 can be found in the originally filed specification. For the Examiner's convenience, Applicants point out in the following Table 1, the specific written description support in the specification for the elements of new claims 106-120.

**Table 1.**

<u>Element</u>	<u>Support in Specification</u>
<p>wherein the at least one first polymer is chosen from a polymer of formula (I) and mixtures thereof:</p> $  \begin{array}{c}  \text{R}^1 - \text{O} - \left[ \begin{array}{c} \text{C} - \text{R}^2 - \text{C} - \text{N} - \text{R}^3 - \text{N} \\ \parallel \quad \parallel \quad   \quad   \\ \text{O} \quad \text{O} \quad \text{R}^4 \quad \text{R}^4 \end{array} \right]_n - \begin{array}{c} \text{C} - \text{R}^2 - \text{C} \\ \parallel \quad \parallel \\ \text{O} \quad \text{O} \end{array} - \text{O} - \text{R}^1  \end{array}  $ <p>in which:</p> <ul style="list-style-type: none"> <li>- n is an integer which represents the number of amide units such that the number of ester groups present in said at least one structuring polymer ranges from 10% to 50% of the total number of all said ester groups and all said amide groups comprised in said at least one structuring polymer;</li> <li>- R<sup>1</sup>, which are identical or different, are each chosen from alkyl groups comprising at least 4 carbon atoms and alkenyl groups comprising at least 4 carbon atoms;</li> <li>- R<sup>2</sup>, which are identical or different, are each chosen from C<sub>4</sub> to C<sub>42</sub> hydrocarbon-based groups with the proviso that at least 50% of R<sup>2</sup> are chosen from C<sub>30</sub> to C<sub>42</sub> hydrocarbon-based groups;</li> <li>- R<sup>3</sup>, which are identical or different, are each chosen from organic groups comprising atoms chosen from carbon atoms, hydrogen atoms, oxygen atoms and nitrogen atoms with the proviso that R<sup>3</sup> comprises at least 2 carbon atoms;</li> </ul>	<p>See page 9, line 27 to page 10, line 23.</p>

<p>and</p> <p>- R<sup>4</sup>, which are identical or different, are each chosen from hydrogen atoms, C<sub>1</sub> to C<sub>10</sub> alkyl groups and a direct bond to group chosen from R<sup>3</sup> and another R<sup>4</sup> such that when said at least one group is chosen from another R<sup>4</sup>, the nitrogen atom to which both R<sup>3</sup> and R<sup>4</sup> are bonded forms part of a heterocyclic structure defined in part by R<sup>4</sup>-N-R<sup>3</sup>, with the proviso that at least 50% of all R<sup>4</sup> are chosen from hydrogen atoms</p>	
<p>wherein the at least one first polymer is chosen from ethylenediamine/stearyl dimer tallate copolymer</p>	<p>See page 12, lines 4-17. This paragraph recites Uniclear<sup>®</sup> and that "[t]hese commercial products are a blend of copolymers of a C<sub>36</sub> diacids condensed with ethylenediamine . . . ." See also <u>International Cosmetic Ingredient Dictionary and Handbook</u> ("CTFA") page 606 (attached herewith as Exhibit 1), reciting that ethylenediamine/stearyl dimer tallate copolymer is at least one copolymer of ethylenediamine and tall oil dimer acid monomers, end-blocked with stearyl alcohol and further reciting that a trade name for ethylenediamine/stearyl dimer tallate copolymer is Uniclear<sup>®</sup>. Thus, the specification reasonably conveys the use of at least one ethylenediamine/stearyl dimer tallate copolymer.</p>
<p>wherein said organic phase comprises at least one volatile organic solvent exhibiting mean Hansen solubility parameters dD, dP and dH at 25°C, wherein dD, dP and dH satisfy the following conditions:  <math>15 \text{ (J/cm}^3\text{)}^{1/2} \leq dD \leq 19 \text{ (J/cm}^3\text{)}^{1/2}</math>  <math>dP \leq 10 \text{ (J/cm}^3\text{)}^{1/2}</math>; and  <math>dH \leq 10 \text{ (J/cm}^3\text{)}^{1/2}</math></p>	<p>See page 15, lines 9-17.</p>
<p>wherein <math>dP \leq 5 \text{ (J/cm}^3\text{)}^{1/2}</math></p>	<p>See page 16, lines 22-23</p>

wherein $dH \leq 9 \text{ (J/cm}^3)^{1/2}$	See page 16, lines 22-23
<p>wherein dD, dP and dH obey the relationship</p> $\sqrt{4(17 - dD)^2 + dP^2 + dH^2} < L$ <p>wherein L is equal to <math>10 \text{ (J/cm}^3)^{1/2}</math></p>	See page 16, line 24 to page 17, line 2.
wherein L is equal to $9 \text{ (J/cm}^3)^{1/2}$	See page 16, line 24 to page 17, line 2.
wherein the composition further comprises at least one second film-forming polymer	See page 23, lines 2-5.
wherein the at least one second film-forming polymer is chosen from cellulose polymers, polyurethanes, acrylic polymers, vinyl polymers, polyvinylbutyrals, alkyd resins, resins resulting from aldehyde condensation products, and arylsulfonamide-epoxy resins	See page 23, lines 6-15.
wherein the at least one volatile organic solvent is chosen from esters having from 4 to 8 carbon atoms and alkanes having from 6 to 10 carbon atoms	See page 17, lines 3-17.
wherein the at least one volatile organic solvent is chosen from ethyl acetate, n-propyl acetate, isobutyl acetate, n-butyl acetate, and heptane	See page 17, lines 3-17.
wherein the at least one volatile organic solvent is chosen from branched C <sub>8</sub> -C <sub>16</sub> alkanes, and branched C <sub>8</sub> -C <sub>16</sub> esters	See page 17, lines 3-17.
wherein the volatile organic solvent is chosen from C <sub>8</sub> -C <sub>16</sub> isoparaffins, and isododecane	See page 17, lines 8-9.
wherein the liquid organic phase additionally comprises at least one nonvolatile oil	See page 18, line 17-22.
further comprising at least one additive chosen from coloring materials, antioxidants, preservatives, fragrances, fillers, waxes, neutralizing agents, cosmetic or dermatological active principles, dispersing agents, spreading agents, and sunscreens	See page 24, lines 13-24.

## **II. Information Disclosure Statement**

Applicants note that the Examiner has not indicated that any of the patent documents listed on page 3 of the PTO Form 1449 submitted on September 10, 2003, have been considered. For the Examiner's convenience, Applicants have resubmitted these patent references herewith and respectfully request they be considered by the Examiner. Applicants further note that on the PTO Form 1449, the Examiner has crossed out French Patent No. 1 529 329, wherein an English-language translation had been provided. Applicants have resubmitted this reference, along with its English-language translation, and respectfully request the Examiner consider the reference or indicate on the record why such has not been considered. Finally, Applicants note the co-pending application information has been crossed out on the PTO Form 1449. Applicants presume the Examiner has considered the co-applications reference therein, and has merely crossed them out so that the citations will be no be printed on the face of any patent to issue from this application. If the Examiner has not considered these co-pending applications, Applicants respectfully request that she indicate this on the record.

## **III. Rejection under 35 U.S.C. § 103**

Claims 49-97 have been rejected under 35 U.S.C. § 103 as allegedly obvious over U.S. Patent No. 6,402,408 to Ferrari et al. and Harry's Cosmetology by Ralph Harry, pages 375-383. Claims 49-97 have been canceled herein, rendering this rejection moot. Remaining claim 98 and new claims 106-120 are now in condition for immediate allowance.

**IV. U.S. Patent No. 6,497,861 to Wang et al.**

As referenced in the Information Disclosure Statement filed September 10, 2003, Applicants are aware of U.S. Patent No. 6,497,861 to Wang et al. ("Wang"), filed June 21, 2001. However, Applicants do not believe that this patent is prior art with respect to the present application. In this regard, Applicants point out that a certified copy of the French priority document, French Patent Application No. 01 00623, filed on January 17, 2001, was filed in the U.S. Patent and Trademark Office April 29, 2002, in conjunction with a Claim for Priority.

Applicants further point out that the instant application claims the benefit of and matured from U.S. Provisional Application Serial No. 60/330,767, filed October 30, 2001, an English translation of which was filed in the instant application on July 18, 2002. The French priority document is the same as the provisional application. As such, the certified translation of the provisional application is also an English-language translation of the French priority document.

Thus, Table 1, above, shows that claims 106-120 also have full § 112, first paragraph support and are entitled to the January 17, 2001, filing date for priority purposes. Therefore, claim 98 as well as the newly added claims are entitled to a priority date at least as early as January 17, 2001, having full support under 35 U.S.C. § 112, first paragraph in the French priority document. This antedates Wang.

**V. Commonly Assigned Applications**

Applicants have identified the related copending applications and patents below in Table 2 that were filed prior to January 16, 2002. Applicants do not believe that any of the identified copending U.S. Patent Applications or any relevant publications thereof

or relevant PCT publications of a counterpart thereof, describes or suggests the subject matter of the claims of the present application under 35 U.S.C. § 102(e) and/or § 103.

Also listed in Table 2, below, is the publication information (U.S. Published Applications and/or U.S. Patents), if any, that correspond to these copending applications and their dates of publication. Applicants assert that all of the applications listed in Table 2 that were filed prior to the instant application's priority date were commonly owned by the Assignee at the time the instant invention was made, which instant invention was also subject to assignment to the Assignee. Moreover, Applicant has provided for the Office's convenience the available assignment information in Table 2 or confirmed the obligation of assignment with the assignee, demonstrating that none of these applications, patents, or publications is available as § 102(e)/§ 103 prior art against claims 98 and 106-120. See 35 U.S.C. § 103(c).

For the Office's convenience, Applicants identify in Table 2 below 36 related copending applications, including the instant application, as well as those listed on the PTO Form 1449 filed on September 10, 2003, or filed herewith, including filing date, assignment, and inventor information. This should assist the Office in assessing any possible issues of statutory double patenting. This information will also allow the Office to address any issues of obviousness-type double patenting. Applicants do not believe that any issue with respect to statutory double patenting under 35 U.S.C. § 101 is present with respect to claims 98 and 106-120 of the instant application and the claims of any other copending application or patent listed in Table 1. To be sure, however, Applicants provide Exhibit 2, which contains all of the claims of the 36 pending

applications, including the instant claims. As the Office can see from Exhibit 2, no other application contains claims which are identical to the instant claims.

Table 2.

Attorney Docket No.	U.S. Patent Application No.	U.S. Filing Date/ 371 (c) Date	Inventors	Title	Assignment Recorded (Reel, Frame, Date)	Publication Date
05725.0594-00000	09/733,899	December 12, 2000	Mohamed KANJI, Carl ORR, and Carlos O. PINZON	COSMETIC COMPOSITIONS CONTAINING AT LEAST ONE HETERO POLYMER AND AT LEAST ONE FILM-FORMING SILICONE RESIN AND METHODS OF USING	Reel 011723, Frame 0503, on April 20, 2001	U.S. Published Application No. US 2002/011477 3 A1  Dated: August 22, 2002
05725.0595-00000	09/733,900	December 12, 2000	Carlos O. PINZON and Paul THAU	COSMETIC COMPOSITIONS CONTAINING HETEROPOLYMERS AND OIL-SOLUBLE CATIONIC SURFACTANTS AND METHODS OF USING SAME	Reel 011639, Frame 0897, on March 23, 2001	U.S. Published Application No. US 2002/012278 1 A1 (Republished US 2003/008212 6A9 on May 1, 2003)  Dated: September 5, 2002
05725.0656-00000	09/618,066	July 17, 2000	Véronique FERRARI and Pascal SIMON	COMPOSITIONS IN RIGID FORM STRUCTURED WITH A POLYMER	Reel 011057, Frame 0676, on September 11, 2000	N/A: Will not publish
05725.0656-01000	09/685,577	October 11, 2000	Véronique FERRARI and Pascal SIMON	COMPOSITIONS IN RIGID FORM STRUCTURED WITH A POLYMER	Reel 011455, Frame 0203, on January 22, 2001	N/A: Will not publish
05725.0659-	09/618,032, issued on	July 17,	Véronique	COMPOSITION CONTAINING A	Reel 011057, Frame 0007,	U.S. Patent No.

Attorney Docket No.	U.S. Patent Application No.	U.S. Filing Date/ 371 (c) Date	Inventors	Title	Assignment Recorded (Reel, Frame, Date)	Publication, Date
00000	June 11, 2002, as U.S. Patent No. 6,402,408	2000	FERRARI	LIQUID FATTY PHASE GELLED WITH A POLYAMIDE CONTAINING ESTER END GROUPS	on September 12, 2000	6,402,408  Dated: June 11, 2002
05725.0659-01000	09/685,578	October 11, 2000	Véronique FERRARI	COMPOSITION CONTAINING A LIQUID FATTY PHASE GELLED WITH A POLYAMIDE CONTAINING ESTER END GROUPS	Reel 011549, Frame 0914, on February 20, 2001	N/A: Will not publish
05725.0795-01000	10/182,830	August 2, 2002  371 (c) Date: January 21, 2003	Roberto CAVA-ZZUTI, Véronique FERRARI, Brian MATTOX, Carlos O. PINZON, and Paul THAU	USE OF POLYAMIDE POLYMER IN A MASCARA COMPOSITION COMPRISING AT LEAST ONE SOLID SUBSTANCE HAVING A MELTING POINT OF 45°C OR GREATER	Reel 014040, Frame 0345, on May 7, 2003	U.S. Published Application No. 2003/014783 7 A1  Dated: August 7, 2003
05725.0795-02000	10/787,441	February 27, 2004	Roberto CAVA-ZZUTI, Véronique FERRARI, Brian MATTOX, Carlos O. PINZON, and Paul THAU	METHOD OF MAKING A MASCARA COMPOSITION- COMPRISING POLYAMIDE POLYMER AND AT LEAST ONE SOLID SUBSTANCE HAVING A MELTING POINT OF 45°C OR GREATER	Reel 014040, Frame 0345, on May 7, 2003	Not yet published
05725.0806-	09/733,896	December 12, 2000	Carlos O. PINZON and Paul	COMPOSITIONS CONTAINING HETEROPOLY-	Reel 011765, Frame 0183, on April 26,	U.S. Published Application



Attorney Docket No.	U.S. Patent Application No.	U.S. Filing Date/ 371 (c) Date	Inventors	Title	Assignment Recorded (Reel, Frame, Date)	Publication, Date
00000			THAU	MERS AND OIL-SOLUBLE POLYMERS AND METHODS OF USING SAME	2001	No. US 2002/012003 6 A1 (Republished US 2003/012542 7 A9 on July 3, 2003)  Dated: August 29, 2002
05725.0808-00000	09/733,898	December 12, 2000	Carlos O. PINZON, Paul THAU, and Isabelle BARA	COMPOSITIONS CONTAINING HETEROPOLYMERS AND OIL-SOLUBLE ESTERS AND METHODS OF USING SAME	Reel 011654, Frame 0869, on April 2, 2001	U.S. Published Application No. US 2002/010731 4 A1  Dated: August 8, 2002
05725.0809-00000	09/733,897	December 12, 2000	Carlos O. PINZON and Paul THAU	COMPOSITIONS CONTAINING HETEROPOLYMERS AND METHODS OF USING SAME	Reel 011646, Frame 0966, on April 4, 2001	U.S. Published Application No. US 2002/011133 0 A1  Dated: August 15, 2002
05725.0816-01000	10/203,018	August 5, 2002  371 (c) Date: March 24, 2003	Véronique FERRARI, Richard KOLODZIEJ, Carlos O. PINZON, and Paul THAU	USE OF POLYAMIDE POLYMER IN A MASCARA COMPOSITION COMPRISING AT LEAST ONE INERT FILLER	Reel 014055, Frame 0428, on March 24, 2003	U.S. Published Application No. US 2003/016184 8 A1  Dated: August 28, 2003
05725.0816-02000	10/787,440	February 27, 2004	Véronique FERRARI, Richard KOLOD-	METHOD OF MAKING A MASCARA COMPOSITION	Reel 014055, Frame 0428, on March 24,	Not yet published

Attorney Docket No.	U.S. Patent Application No.	U.S. Filing Date/ 371 (c) Date	Inventors	Title	Assignment Recorded (Reel, Frame, Date)	Publication Date
			ZIEJ, Carlos O. PINZON, and Paul THAU	COMPRISING A POLYAMIDE POLYMER AND AT LEAST ONE INERT FILLER	2003	
05725.0817-01000	10/203,254	August 7, 2002  371 (c) Date: December 20, 2002	Véronique FERRARI, Carlos O. PINZON, and Paul THAU	COSMETIC COMPOSITIONS CONTAINING AT LEAST ONE HETEROPOLYMER AND AT LEAST ONE GELLING AGENT AND METHODS OF USING THE SAME	Reel 013607, Frame 0258, on December 20, 2002	U.S. Published Application No. US 2003/018578 0 A1  Dated: October 2, 2003
05725.0819-01000	10/129,377	May 3, 2002  371 (c) Date: October 16, 2002	Véronique FERRARI	COMPOSITION STRUCTURED WITH A POLYMER CONTAINING A HETEROATOM AND AN ORGANOCELL-ATOR	Filed October 16, 2002. Not yet recorded.	Not yet published
05725.0832-00000	09/749,036	December 28, 2000	Véronique FERRARI and Véronique JACQUES	COMPOSITION COMPRISING AT LEAST ONE HETERO POLYMER AND AT LEAST ONE PASTY FATTY SUBSTANCE AND METHODS FOR USE	Reel 011723, Frame 0518, on April 20, 2001	U.S. Published Application No. US 2001/003128 0 A1  Dated: October 18, 2001
05725.0895-00000	09/971,028	October 5, 2001	Mohamed KANJI	METHODS OF USE AND OF MAKING A MASCARA COMPRISING AT LEAST ONE COLORING AGENT AND AT LEAST ONE HETEROPOLYM	Reel 012411, Frame 0820, on December 28, 2001	U.S. Published Application No. US 2003/008688 3 A1  Dated: May 8, 2003

Attorney Docket No.	U.S. Patent Application No.	U.S. Filing Date/ 371 (c) Date	Inventors	Title	Assignment Recorded (Reel, Frame, Date)	Publication Date
				ER		
05725.0895-01000	10/413,217	April 15, 2003	Mohamed KANJI	METHODS OF USE AND OF MAKING A MASCARA COMPRISING AT LEAST ONE COLORING AGENT AND AT LEAST ONE POLYAMIDE POLYMER CHOSEN FROM ETHYLENEDIAMINE/STEARYL DIMER TALLATE COPOLYMER	Reel 012411, Frame 0820, on December 28, 2001	U.S. Published Application No. US 2003/019861 3 A1  Dated: October 23, 2003
05725.0895-02000	10/699,780	November 4, 2003	Sue FENG and Mohamed KANJI	METHODS OF DISPERSING AT LEAST ONE COLORING AGENT USING AT LEAST ONE HETEROPOLYMER	Reel 012411, Frame 0820, on December 28, 2001	Not yet published
05725.0896-00000	10/198,931	July 22, 2002	Mohamed KANJI	COMPOSITIONS COMPRISING AT LEAST ONE HETEROPOLYMER AND FIBERS, AND METHODS OF USING THE SAME	Reel 013410, Frame 0044, on October 21, 2002	U.S. Published Application No. US 2004/001362 5 A1  Dated: January 22, 2004
05725.0920-00000	09/899,909, issued on August 13, 2002 as U.S. Patent No. 6,432,391	July 9, 2001	Isabelle BARA	TRANSPARENT SCENTED SOLID COSMETIC COMPOSITION	Reel 012278, Frame 0077, on October 23, 2001	U.S. Patent No. 6,432,391  Dated: August 13, 2002
05725.0932-	09/937,314	September	Véronique	A TRANSFER-FREE	Reel 012476, Frame 0507,	U.S. Published

Attorney Docket No.	U.S. Patent Application No.	U.S. Filing Date/ 371 (c) Date	Inventors	Title	Assignment Recorded (Reel, Frame, Date)	Publication Date
00000		24, 2001  371 (c) Date: December 6, 2001	FERRARI	MASCARA COMPOSITION COMPRISING AT LEAST ONE VOLATILE SOLVENT AND AT LEAST ONE POLYMER	on January 17, 2002	Application No. US 2004/008647 8 A1  Dated: May 6, 2004
05725.1003-00000	10/012,029	December 11, 2001	Nathalie COLLIN	COSMETIC COMPOSITION COMPRISING A POLYMER BLEND	Reel 013142, Frame 0645, on August 1, 2002	U.S. Published Application No. US 2003/001276 4 A1  Dated: January 16, 2003
05725.1004-00000	10/012,051	December 11, 2001	Nathalie COLLIN	USE OF AT LEAST ONE POLYAMIDE POLYMER IN A MASCARA FOR RAPIDLY INCREASING THE AMOUNT OF MAKE-UP DEPOSITED ON EYELASHES	Reel 012847, Frame 0285, on April 30, 2002	U.S. Published Application No. US 2002/018903 0 A1  Dated: December 19, 2002
05725.1005-00000	10/012,052	December 11, 2001	Nathalie COLLIN	COSMETIC COMPOSITION CONTAINING A WAX AND A POLYMER	Reel 012847, Frame 0264, on April 30, 2002	U.S. Published Application No. US 2002/016833 5 A1  Dated: November 14, 2002
05725.1018-00000	10/046,568	January 16, 2002	Xavier BLIN, Véronique FERRARI, and Frédéric	NAIL POLISH COMPOSITION COMPRISING A POLYMER	Reel 013109, Frame 0731, on July 18, 2002	U.S. Published Application No. US 2002/019216 8 A1

Attorney Docket No.	U.S. Patent Application No.	U.S. Filing Date/ 371 (c) Date	Inventors	Title	Assignment Recorded (Reel, Frame, Date)	Publication, Date
			AUGUSTE			Dated: December 19, 2002
05725. 1020- 00000	10/047,987	January 17, 2002	Véronique FERRARI	COSMETIC COMPOSITION COMPRISING A POLYMER AND A FLUORO OIL	Reel 012910, Frame 0028, on May 17, 2002	U.S. Published Application No. US 2002/017269 6 A1  Dated: November 21, 2002
05725. 1187- 00000	10/312,083	December 23, 2002  371 (c) Date: March 26, 2003	Patricia LEMANN	COSMETIC COMPOSITION COMPRISING AN EMULSION CONTAINING A LIQUID FATTY PHASE STRUCTURED WITH A POLYMER, AND AN ALKYLENE- OXIDE- CONTAINING EMULSION STABILIZER	Reel 014039, Frame 0976, on March 26, 2003	U.S. Published Application No. US 2003/016180 7 A1  Dated: August 28, 2003
05725. 1198- 00000	10/450,108	June 11, 2003  371 (c) Date: June 11, 2003	Nathalie COLLIN	COSMETIC COMPOSITION COMPRISING A POLYMER AND FIBERS	Not yet filed/recorded	U.S. Published Application No. US 2004/002863 6 A1  Dated: February 12, 2004
05725. 1228- 00000	10/466,166	July 14, 2003  371 (c) Date: January	Nathalie COLLIN	COSMETIC COMPOSITION COMPRISING A MIXTURE OF POLYMERS	Filed January 20, 2004. Not yet recorded.	Not yet published

Attorney Docket No.	U.S. Patent Application No.	U.S. Filing Date/ 371 (c) Date	Inventors	Title	Assignment Recorded (Reel, Frame, Date)	Publication Date
		20, 2004				
05725.1336-00000	10/459,636	June 12, 2003	Shao Xiang LU and Mohamed KANJI	COSMETIC EMULSIONS CONTAINING AT LEAST ONE HETERO POLYMER AND A SUNSCREEN AND METHODS OF USING SAME	Filed October 3, 2003; not yet recorded	Not yet published
05725.1337-00000	10/618,315	July 11, 2003	Shao Xiang LU, Terry VAN LIEW, and Nathalie GEFFROY-HYLAND	COSMETIC COMPOSITIONS COMPRISING A STRUCTURING AGENT, SILICONE POWDER AND SWELLING AGENT	Filed August 12, 2003 and January 30, 2004; not yet recorded	Not yet published
05725.1338-01000	10/746,612	December 22, 2003	Shao Xiang LU, Terry VAN LIEW, Nathalie GEFFROY-HYLAND, and Mohamed KANJI	COSMETIC COMPOSITIONS COMPRISING A STRUCTURING AGENT, SILICONE POWDER AND SWELLING AGENT	Not yet filed/recorded	Not yet published
05725.1338-02000	10/747,412	December 22, 2003	Shao Xiang LU and Mohamed KANJI	COSMETIC EMULSIONS CONTAINING AT LEAST ONE HETERO POLYMER AND AT LEAST ONE SUNSCREEN AND METHODS FOR USING THE SAME	Not yet filed/recorded	Not yet published
06028.0018-00000	10/203,375	August 9, 2002	Nathalie JAGER-LEZER and Jean-Christophe	COLOURED TRANSPARENT OR TRANSLUCENT COSMETIC	Reel 013318, Frame 0962, on August 9, 2002	U.S. Published Application No. US 2003/002677

Attorney Docket No.	U.S. Patent Application No.	U.S. Filing Date/ 371 (c) Date	Inventors	Title	Assignment Recorded (Reel, Frame, Date)	Publication, Date
		371 (c) Date: August 9, 2002	SIMON	COMPOSITION		2 A1  Dated: February 6, 2003
06028. 0019- 00000	10/203,374	August 9, 2002  371 (c) Date: August 9, 2002	Jean- Christophe SIMON and Nathalie JAGER- LEZER	METHOD FOR MAKING A COLOURED MAKE-UP COSMETIC COMPOSITION WITH CONTROLLED TRANSMITT- ANCE	Reel 013321, Frame 0001, on August 9, 2002	U.S. Published Application No. US 2003/004436 7 A1  Dated: March 6, 2003

Further, solely to expedite prosecution of the instant application, Applicants also submit herewith a Terminal Disclaimer. This Terminal Disclaimer evidences no admission and raises no presumption or estoppel. See M.P.E.P. § 804.02 (quoting Quad Environmental Technologies Corp. v. Union Sanitary District, 20 U.S.P.Q.2d 1392 (Fed. Cir. 1992) for the propositions that "the filing of a terminal disclaimer simply serves the statutory function of removing the rejection of double patenting, and raises neither presumption nor estoppel on the merits of the rejection"). The Terminal Disclaimer is effective and is filed to eliminate the possibility of such a rejection or a rejection based any of the enumerated files, *i.e.*, to obviate a double patenting rejection, as stated in the language of the terminal disclaimer.

**VI. Conclusion**

In view of the foregoing remarks, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: June 29, 2004

*Thalia V. Wanner*, Reg. No. 39,064  
By: *for Erin C. DeCarlo*  
Erin C. DeCarlo  
Reg. No. 51,688

**Attachments:**

**Exhibit 1 -** International Cosmetic Ingredient Dictionary and Handbook ("CTFA") page 606

**Exhibit 2 -** Currently Pending Claims in Copending Applications



**Exhibit 1**  
International Cosmetic Ingredient Dictionary and Handbook  
("CTFA") page 606

**Information Sources:** CIR: [SQ]

**Chemical Class:** Synthetic Polymers

**Functions:** Binder; Film Former; Viscosity Increasing Agent - Nonaqueous

**Technical/Other Name:**

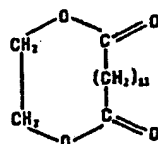
2-Propenol Acid, Polymer with Ethene and Ethenyl Acetate

### ETHYLENE BRASSYLATE

**CAS No.** EINECS No.  
105-95-3 203-347-8

**Empirical Formula:**  
 $C_{18}H_{34}O_4$

**Definition:** Ethylene Brassylate is the cyclic ester that conforms to the formula:



**Information Sources:** 21CFR172.515, RIFM, TSCA

**Chemical Class:** Esters

**Function:** Fragrance Ingredient

**Reported Product Categories:** Foundations; Moisturizing Preparations; Cleansing Products (Cold Creams, Cleansing Lotions, Liquids and Pads); Personal Cleanliness Products, Misc.

**Technical/Other Names:**

1,4-Dioxacycloheptadecane-5,17-dione  
Ethylene brassylate (RIFM)  
Ethylene Undecane Dicarboxylate

**Trade Name:**

AEC Ethylene Brassylate (A & E Connock)

### ETHYLENE/CALCIUM ACRYLATE COPOLYMER

**CAS No.:** 26445-96-5

**Empirical Formula:**  
 $(C_3H_4O_2 \cdot C_2H_4)_x \cdot xCa$

**Definition:** Ethylene/Calcium Acrylate Copolymer is a copolymer of ethylene and calcium acrylate monomers.

**Information Sources:** 21CFR175.105, CIR: [SQ]

**Chemical Class:** Synthetic Polymers

**Functions:** Binder; Film Former

**Technical/Other Name:**

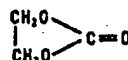
2-Propenol Acid, Polymer with Ethene, Calcium Salt

### ETHYLENE CARBONATE

**CAS No.** EINECS No.  
96-49-1 202-510-0

**Empirical Formula:**  
 $C_3H_4O_3$

**Definition:** Ethylene Carbonate is the organic compound that conforms to the formula:



**Information Sources:** JCIC, JCLS

**Chemical Class:** Esters

**Function:** Solvent

**Technical/Other Name:**

1,3-Dioxolan-2-one

### ETHYLENEDIAMINE/STEARYL DIMER DILINOLEATE COPOLYMER

**Definition:** Ethylenediamine/Stearyl Dimer Dilinoleate Copolymer is a copolymer of ethylenediamine and stearyl dimer dilinoleate monomers.

**Chemical Class:** Synthetic Polymers

**Functions:** Oral Care Agent; Skin-Conditioning Agent - Miscellaneous; Viscosity Increasing Agent - Nonaqueous

**Trade Name:**

UNICLEAR (Arizona)

### ETHYLENEDIAMINE/STEARYL DIMER TALLATE COPOLYMER

**Definition:** Ethylenediamine/Stearyl Dimer Tallate Copolymer is a copolymer of ethylenediamine and tall oil dimer acid monomers, and blocked with stearyl alcohol.

**Chemical Class:** Synthetic Polymers

**Functions:** Oral Care Agent; Skin-Conditioning Agent - Miscellaneous; Viscosity Increasing Agent - Nonaqueous

**Trade Name:**

UNICLEAR (Arizona)

### ETHYLENE DICHLORIDE

**CAS Nos.** EINECS Nos.  
107-06-2 203-458-1  
1300-21-6 215-077-8

**Empirical Formula:**

$C_2H_2Cl_2$

**Definition:** Ethylene Dichloride is the halogenated aliphatic hydrocarbon that conforms to the formula:

$ClCH_2CH_2Cl$

**Information Sources:** 21CFR165.110, 21CFR172.560, 21CFR172.710, 21CFR172.864, 21CFR173.165, 21CFR173.230, 21CFR173.315, 21CFR175.105, 21CFR573.440, EEC(II-125), FCC, MI-12(3843), TSCA

**Chemical Class:** Halogen Compounds

**Function:** Not Reported

**Technical/Other Names:**

Dichloroethane  
Ethane, 1,2-Dichloro-

### ETHYLENE DIHYDROGENATED TALLOWAMIDE

**Definition:** Ethylene Dihydrogenated Tallowamide is the diamide that conforms generally to the formula:



where RCO- represents the fatty acids derived from hydrogenated tallow.

**Chemical Class:** Amides

**Function:** Viscosity Increasing Agent - Nonaqueous

**Technical/Other Names:**

N,N'-1,2-Ethanedibis (Hydrogenated Tallowamide)  
(Hydrogenated Tallowamides), N,N'-1,2-Ethanedibis-

### ETHYLENE DILINOLEAMIDE

**Definition:** Ethylene Dilinoleamide is the condensation product of ethylenediamine with Dilinoleic Acid (q.v.).

**Information Sources:** JCIC, JCLS

**Chemical Class:** Amides

**Function:** Skin-Conditioning Agent - Miscellaneous

**Technical/Other Name:**

Condensate of Dilinoleic Acid and Ethylenediamine

### ETHYLENE DIOLEAMIDE

**CAS No.** EINECS No.  
110-31-6 203-756-1

The inclusion of any compound in the Dictionary and Handbook does not indicate that use of that substance as a cosmetic ingredient complies with the laws and regulations governing such use in the United States or any other country.

**Exhibit 2**  
Currently Pending Claims in Copending Applications

PENDING CLAIMS  
Application No. 09/733,899  
Attorney Docket No. 05725.0594-00000  
Filed: December 12, 2000

1. (Withdrawn) A composition comprising at least one liquid fatty phase which comprises:
  - (i) at least one structuring polymer comprising:  
a polymer skeleton which comprises at least one hydrocarbon-based repeating unit comprising at least one hetero atom; and
  - (ii) at least one film-forming silicone resin.
2. (Withdrawn) The composition according to claim 1, wherein said at least one structuring polymer further comprises at least one of:
  - at least one terminal fatty chain chosen from alkyl chains and alkenyl chains, wherein said at least one terminal fatty chain is bonded to said polymer skeleton via at least one linking group; and
  - at least one pendant fatty chain chosen from alkyl chains and alkenyl chains, wherein said at least one pendant fatty chain is bonded to said polymer skeleton via at least one linking group.
3. (Withdrawn) The composition according to claim 2, wherein said alkyl chains and said alkenyl chains each comprise at least four carbon atoms.
4. (Withdrawn) The composition according to claim 3, wherein said alkyl chains and said alkenyl chains each comprise from 8 to 120 carbon atoms.
5. (Withdrawn) The composition according to claim 4, wherein said alkyl chains and said alkenyl chains each comprise from 12 to 68 carbon atoms.
6. (Withdrawn) The composition according to claim 2, wherein said at least one linking group is chosen from single bonds and urea, urethane, thiourea, thiourethane, thioether, thioester, ester, ether and amine groups.
7. (Withdrawn) The composition according to claim 6, wherein said at least one linking group is an ester group present in a proportion ranging from 15% to 40% of the total number of all ester and hetero atom groups in the at least one structuring polymer.

8. (Withdrawn) The composition according to claim 7, wherein said at least one linking group is an ester group present in a proportion ranging from 20% to 35% of the total number of all ester and hetero atom groups in the at least one structuring polymer.

9. (Withdrawn) The composition according to claim 2, wherein said at least one terminal fatty chain is functionalized.

10. (Withdrawn) The composition according to claim 2, wherein said at least one pendant fatty chain is functionalized.

11. (Withdrawn) The composition according to claim 2, wherein in said at least one structuring polymer, the percentage of the total number of fatty chains ranges from 40% to 98% relative to the total number of all repeating units and fatty chains in the at least one structuring polymer.

12. (Withdrawn) The composition according to claim 11, wherein in said at least one structuring polymer, the percentage of the total number of fatty chains ranges from 50% to 95% relative to the total number of all repeating units and fatty chains in the at least one structuring polymer.

13. (Withdrawn) The composition according to claim 1, wherein said at least one structuring polymer has a weight-average molecular mass of less than 100,000.

14. (Withdrawn) The composition according to claim 13, wherein said at least one structuring polymer has a weight-average molecular mass of less than 50,000.

15. (Withdrawn) The composition according to claim 14, wherein said at least one structuring polymer has a weight-average molecular mass ranging from 1000 to 30,000.

16. (Withdrawn) The composition according to claim 15, wherein said at least one structuring polymer has a weight-average molecular mass ranging from 2000 to 20,000.

17. (Withdrawn) The composition according to claim 16, wherein said at least one structuring polymer has a weight-average molecular mass ranging from 2000 to 10,000.

18. (Withdrawn) The composition according to claim 1, wherein said at least one hydrocarbon based repeating unit comprises from 2 to 80 carbon atoms.

19. (Withdrawn) The composition according to claim 18, wherein said at least one hydrocarbon based repeating unit comprises from 2 to 60 carbon atoms.

20. (Withdrawn) The composition according to claim 1, wherein said at least one hydrocarbon based repeating unit is chosen from saturated and unsaturated hydrocarbon-based units which are chosen from linear hydrocarbon-based repeating units, branched hydrocarbon-based repeating units and cyclic hydrocarbon-based repeating units.

21. (Withdrawn) The composition according to claim 1, wherein said at least one hetero atom of said at least one hydrocarbon-based repeating unit is chosen from nitrogen, sulphur, and phosphorus.

22. (Withdrawn) The composition according to claim 21, wherein said at least one hetero atom is a nitrogen atom.

23. (Withdrawn) The composition according to claim 21, wherein said at least one hetero atom is combined with at least one atom chosen from oxygen and carbon to form a hetero atom group.

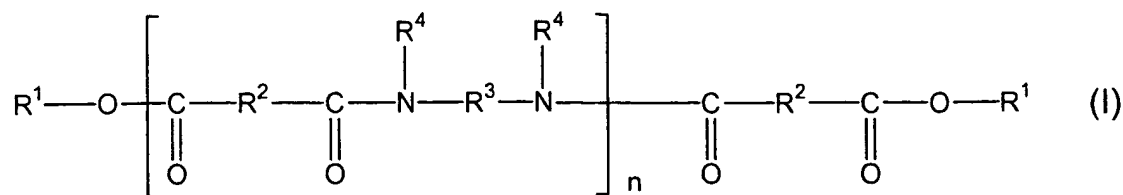
24. (Withdrawn) The composition according to claim 23, wherein said at least one hetero atom group further comprises a carbonyl group.

25. (Withdrawn) The composition according to claim 23, wherein said at least one hetero atom group is chosen from amide groups, carbamate groups, and urea groups.

26. (Withdrawn) The composition according to claim 25, wherein said at least one hetero atom group is an amide group and said polymer skeleton is a polyamide skeleton.

27. (Withdrawn) The composition according to claim 25, wherein said at least one hetero atom group is chosen from carbamate groups and urea groups and said polymer skeleton is chosen from a polyurethane skeleton, a polyurea skeleton and a polyurethane-polyurea skeleton.

28. (Withdrawn) The composition according to claim 1, wherein said at least one structuring polymer is chosen from polyamide polymers of formula (I):



in which:

- n is an integer which represents the number of amide units such that the number of ester groups present in said at least one polyamide polymer ranges from 10% to 50% of the total number of all ester groups and all amide groups comprised in said at least one polyamide polymer;

- $R^1$ , which are identical or different, are each chosen from alkyl groups comprising at least 4 carbon atoms and alkenyl groups comprising at least 4 carbon atoms;

- $R^2$ , which are identical or different, are each chosen from  $C_4$  to  $C_{42}$  hydrocarbon-based groups with the proviso that at least 50% of all  $R^2$  are chosen from  $C_{30}$  to  $C_{42}$  hydrocarbon-based groups;

- $R^3$ , which are identical or different, are each chosen from organic groups comprising atoms chosen from carbon atoms, hydrogen atoms, oxygen atoms and nitrogen atoms, with the proviso that  $R^3$  comprises at least 2 carbon atoms; and

- $R^4$ , which are identical or different, are each chosen from hydrogen atoms,  $C_1$  to  $C_{10}$  alkyl groups and a direct bond to at least one group chosen from  $R^3$  and another  $R^4$  such that when said at least one group is chosen from another  $R^4$ , the nitrogen atom to which both  $R^3$  and  $R^4$  are bonded forms part of a heterocyclic structure defined in part by  $R^4-N-R^3$ , with the proviso that at least 50% of all  $R^4$  are chosen from hydrogen atoms.

29. (Withdrawn) The composition according to claim 28, wherein in said formula (I), n is an integer ranging from 1 to 5.

30. (Withdrawn) The composition according to claim 29, wherein in said formula (I), n is an integer ranging from 3 to 5.

31. (Withdrawn) The composition according to claim 28, wherein in said formula (I), said alkyl groups of  $R^1$  and said alkenyl groups of  $R^1$  each independently comprise from 4 to 24 carbon atoms.

32. (Withdrawn) The composition according to claim 31, wherein in said formula (I),  $R^1$ , which are identical or different, are each chosen from  $C_{12}$  to  $C_{22}$  alkyl groups.

33. (Withdrawn) The composition according to claim 32, wherein in said formula (I),  $R^1$ , which are identical or different, are each chosen from  $C_{16}$  to  $C_{22}$  alkyl groups.

34. (Withdrawn) The composition according to claim 28, wherein in said formula (I),  $R^2$ , which are identical or different, are each chosen from  $C_{10}$  to  $C_{42}$  hydrocarbon based groups with the proviso that at least 50% of all  $R^2$  are chosen from  $C_{30}$  to  $C_{42}$  hydrocarbon based groups.

35. (Withdrawn) The composition according to claim 34, wherein at least 75% of all  $R^2$ , which are identical or different, are chosen from  $C_{30}$  to  $C_{42}$  hydrocarbon based groups.

36. (Withdrawn) The composition according to claim 28, wherein in said formula (I),  $R^3$ , which can be identical or different, are each chosen from  $C_2$  to  $C_{36}$  hydrocarbon-based groups and polyoxyalkylene groups.

37. (Withdrawn) The composition according to claim 36, wherein  $R^3$ , which can be identical or different, are each chosen from  $C_2$  to  $C_{12}$  hydrocarbon-based groups.

38. (Withdrawn) The composition according to claim 37, wherein in said formula (I),  $R^4$ , which can be identical or different, are each chosen from hydrogen atoms.

39. (Withdrawn) The composition according to claim 28, wherein said at least one polymer of formula (I) is in the form of a mixture of polymers, wherein said mixture optionally also comprises a compound of formula (I) wherein n is equal to zero.

40. (Withdrawn) The composition according to claim 1, wherein said at least one structuring polymer has a softening point greater than  $50^{\circ}\text{C}$ .

41. (Withdrawn) The composition according to claim 40, wherein said at least one structuring polymer has a softening point ranging from  $65^{\circ}\text{C}$  to  $190^{\circ}\text{C}$ .

42. (Withdrawn) The composition according to claim 41, wherein said at least one structuring polymer has a softening point ranging from  $70^{\circ}\text{C}$  to  $130^{\circ}\text{C}$ .



43. (Withdrawn) The composition according to claim 42, wherein said at least one structuring polymer has a softening point ranging from 80°C to 105°C.

44. (Withdrawn) The composition according to claim 1, wherein said at least one structuring polymer is present in the composition in an amount ranging from 0.5% to 80% by weight relative to the total weight of the composition.

45. (Withdrawn) The composition according to claim 44, wherein said at least one structuring polymer is present in the composition in an amount ranging from 2% to 60% by weight relative to the total weight of the composition.

46. (Withdrawn) The composition according to claim 45, wherein said at least one structuring polymer is present in the composition in an amount ranging from 5% to 40% by weight relative to the total weight of the composition.

47. (Withdrawn) The composition according to claim 1, wherein said composition has a hardness ranging from 30 to 300 g.

48. (Withdrawn) The composition according to claim 47, wherein said composition has a hardness ranging from 30 to 250 g.

49. (Withdrawn) The composition according to claim 48, wherein said composition has a hardness ranging from 30 to 200 g.

50. (Withdrawn) The composition according to claim 1, wherein said at least one liquid fatty phase of the composition comprises at least one oil.

51. (Withdrawn) The composition according to claim 50, wherein said at least one oil is chosen from at least one polar oil and at least one apolar oil.

52. (Withdrawn) The composition according to claim 51, wherein said at least one polar oil is chosen from:

- hydrocarbon-based plant oils with a high content of triglycerides comprising fatty acid esters of glycerol in which the fatty acids comprise chains having from 4 to 24 carbon atoms, said chains optionally being chosen from linear and branched, and saturated and unsaturated chains;

- synthetic oils or esters of formula  $R_5COOR_6$  in which  $R_5$  is chosen from linear and branched fatty acid residues comprising from 1 to 40 carbon atoms and  $R_5 + R_6 \geq 10$ ;

- synthetic ethers containing from 10 to 40 carbon atoms;

- C<sub>8</sub> to C<sub>26</sub> fatty alcohols; and

- C<sub>8</sub> to C<sub>26</sub> fatty acids.

53. (Withdrawn) The composition according to claim 51, wherein said at least one apolar oil is chosen from:

- silicone oils chosen from volatile and non-volatile, linear and cyclic polydimethylsiloxanes that are liquid at room temperature;

- polydimethylsiloxanes comprising alkyl or alkoxy groups which are pendant and/or at the end of the silicone chain, the groups each containing from 2 to 24 carbon atoms;

- phenylsilicones; and

- hydrocarbons chosen from linear and branched, volatile and non-volatile hydrocarbons of synthetic and mineral origin.

54. (Withdrawn) The composition according to claim 1, wherein said at least one liquid fatty phase comprises at least one non-volatile oil.

55. (Withdrawn) The composition according to claim 54, wherein said at least one non-volatile oil is chosen from hydrocarbon-based oils of mineral, plant and synthetic origin, synthetic esters and ethers, and silicone oils.

56. (Withdrawn) The composition according to claim 1, wherein said at least one liquid fatty phase is present in an amount ranging from 1% to 99% by weight relative to the total weight of the composition.

57. (Withdrawn) The composition according to claim 56, wherein said at least one liquid fatty phase is present in an amount ranging from 5% to 95.5% by weight relative to the total weight of the composition.

58. (Withdrawn) The composition according to claim 57, wherein said at least one liquid fatty phase is present in an amount ranging from 10% to 80% by weight relative to the total weight of the composition.

59. (Withdrawn) The composition according to claim 58, wherein said at least one liquid fatty phase is present in an amount ranging from 20% to 75% by weight relative to the total weight of the composition.

60. (Withdrawn) The composition according to claim 1, wherein said at least one liquid fatty phase comprises at least one volatile solvent chosen from hydrocarbon-

based solvents and silicone solvents optionally comprising alkyl or alkoxy groups that are pendant or at the end of a silicone chain.

61. (Withdrawn) The composition according to claim 60, wherein said at least one volatile solvent is present in an amount up to 95.5% relative to the total weight of the composition.

62. (Withdrawn) The composition according to claim 61, wherein said at least one volatile solvent is present in an amount ranging from 2% to 75% relative to the total weight of the composition.

63. (Withdrawn) The composition according to claim 62, wherein said at least one volatile solvent is present in an amount ranging from 10% to 45% relative to the total weight of the composition.

64. (Withdrawn) The composition according to claim 1, wherein said composition further comprises at least one additional fatty material.

65. (Withdrawn) The composition according to claim 64, wherein said at least one additional fatty material is chosen from gums, fatty materials pasty at ambient temperature, and resins.

66. (Withdrawn) The composition according to claim 1, wherein said at least one film-forming silicone resin is chosen from silsesquioxanes and siloxysilicates.

67. (Withdrawn) The composition according to claim 66, wherein said silsesquioxanes comprise repeating units of  $(\text{RSiO}_{3/2})_x$  where X is less than 2000.

68. (Withdrawn) The composition according to claim 67, wherein x is 500 or less.

69. (Withdrawn) The composition according to claim 66, wherein said silsesquioxanes are chosen from polymethylsilsesquioxanes comprising repeating units of formula  $(\text{CH}_3\text{SiO}_{3/2})$ .

70. (Withdrawn) The composition according to claim 66, wherein said siloxysilicates are chosen from trimethylsiloxysilicates.

71. (Withdrawn) The composition according to claim 70, wherein said trimethylsiloxysilicates comprise repeating units of  $[(\text{CH}_3)_3\text{-Si-O}]_x\text{-(SiO}_{4/2})_y$ , where x ranges from 50 to 80 and y ranges from 50 to 80.

72. (Withdrawn) The composition according to claim 69, wherein said polymethylsilsesquioxanes comprising repeating units of formula  $(\text{CH}_3\text{SiO}_{3/2})$  further comprise up to 1% of polymerized repeating units of formula  $(\text{CH}_3)_2\text{SiO}_{2/2}$ .

73. (Withdrawn) The composition according to claim 1, wherein the at least one film-forming silicone resin comprises at least two units chosen from M, D, T, and Q and said at least two units satisfy the relationship  $\text{R}_n\text{SiO}_{(4-n)/2}$  wherein n is a value ranging from 1.0 to 1.50.

74. (Withdrawn) The composition according to claim 73, wherein said at least one film-forming silicone resin is a solid at 25°C.

75. (Withdrawn) The composition according to claim 73, wherein said at least one film-forming silicone resin has a weight average molecular weight ranging from 1000 to 10000 grams/mole.

76. (Withdrawn) The composition according to claim 1, wherein said at least one film-forming silicone resin comprises repeating M units and repeating Q units.

77. (Withdrawn) The composition according to claim 76, wherein the ratio of M units to Q units is 0.7:1.

78. (Withdrawn) The composition according to claim 1, wherein said at least one film-forming silicone resin is present in the composition in an amount ranging from 1% to 10% by weight relative to the total weight of the composition.

79. (Withdrawn) The composition according to claim 1, wherein said composition further comprises at least one additional film-former.

80. (Withdrawn) The composition according to claim 1, wherein the composition is in a form chosen from a fluid anhydrous gel, rigid anhydrous gel, fluid simple emulsion, rigid simple emulsion, fluid multiple emulsion, and rigid multiple emulsion.

81. (Withdrawn) The composition according to claim 1, wherein said composition is a solid.

82. (Withdrawn) The composition according to claim 81, wherein said composition is a solid chosen from molded and poured sticks.

83. (Withdrawn) A composition comprising at least one liquid fatty phase which comprises:

(i) at least one structuring polymer, wherein said at least one structuring polymer is at least one polyamide polymer comprising:

a polymer skeleton which comprises at least one amide repeating unit;

and

(ii) at least one film-forming silicone resin.

84. (Withdrawn) The composition according to claim 83, wherein said at least one polyamide polymer further comprises at least one of:

at least one terminal fatty chain chosen from alkyl chains and alkenyl chains, wherein said at least one terminal fatty chain is bonded to said polymer skeleton via at least one linking group; and

at least one pendant fatty chain chosen from alkyl chains and alkenyl chains, wherein said at least one pendant fatty chain is bonded to said polymer skeleton via at least one linking group.

85. (Withdrawn) The composition according to claim 84, wherein said alkyl chains and said alkenyl chains each comprise at least four carbon atoms.

86. (Withdrawn) The composition according to claim 85, wherein said alkyl chains and said alkenyl chains each comprise from 8 to 120 carbon atoms.

87. (Withdrawn) The composition according to claim 86, wherein said alkyl chains and said alkenyl chains each comprise from 12 to 68 carbon atoms.

88. (Withdrawn) The composition according to claim 84, wherein said at least one linking group is chosen from single bonds and urea, urethane, thiourea, thiourethane, thioether, thioester, ester, ether and amine groups.

89. (Withdrawn) The composition according to claim 88, wherein said at least one linking group is an ester group present in a proportion ranging from 15% to 40% of the total number of all ester and amide groups in the at least one polyamide polymer.

90. (Withdrawn) The composition according to claim 89, wherein said at least one linking group is an ester group present in a proportion ranging from 20% to 35% of the total number of all ester and amide groups in the at least one polyamide polymer.

91. (Withdrawn) The composition according to claim 84, wherein said at least one terminal fatty chain is functionalized.

92. (Withdrawn) The composition according to claim 84, wherein said at least one pendant fatty chain is functionalized.

93. (Withdrawn) The composition according to claim 84, wherein in said at least one polyamide polymer, the percentage of the total number of fatty chains ranges from 40% to 98% relative to the total number of all amide units and fatty chains in the at least one polyamide polymer.

94. (Withdrawn) The composition according to claim 87, wherein in said at least one polyamide polymer, the percentage of the total number of fatty chains ranges from 50% to 95% relative to the total number of all amide units and fatty chains in the at least one polyamide polymer.

95. (Withdrawn) The composition according to claim 83, wherein said at least one polyamide polymer has a weight-average molecular mass of less than 100,000.

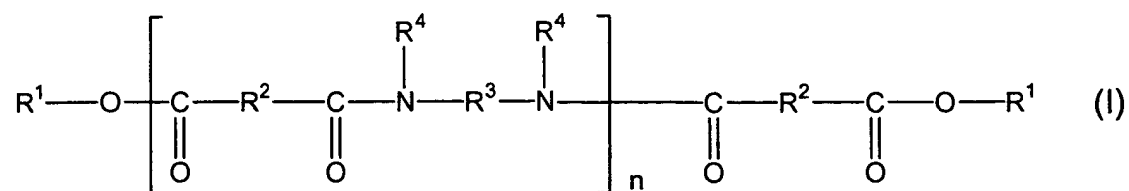
96. (Withdrawn) The composition according to claim 95, wherein said at least one polyamide polymer has a weight-average molecular mass of less than 50,000.

97. (Withdrawn) The composition according to claim 96, wherein said at least one polyamide polymer has a weight-average molecular mass ranging from 1000 to 30,000.

98. (Withdrawn) The composition according to claim 97, wherein said at least one polyamide polymer has a weight-average molecular mass ranging from 2000 to 20,000.

99. (Withdrawn) The composition according to claim 98, wherein said at least one polyamide polymer has a weight-average molecular mass ranging from 2000 to 10,000.

100. (Withdrawn) The composition according to claim 83, wherein said at least one polyamide polymer is chosen from polyamide polymers of formula (I):



in which:

-  $n$  is an integer which represents the number of amide units such that the number of ester groups present in said at least one polyamide polymer ranges from 10% to 50% of the total number of all ester groups and all amide groups comprised in said at least one polyamide polymer;

-  $R^1$ , which are identical or different, are each chosen from alkyl groups comprising at least 4 carbon atoms and alkenyl groups comprising at least 4 carbon atoms;

-  $R^2$ , which are identical or different, are each chosen from  $C_4$  to  $C_{42}$  hydrocarbon-based groups with the proviso that at least 50% of all  $R^2$  are chosen from  $C_{30}$  to  $C_{42}$  hydrocarbon-based groups;

-  $R^3$ , which are identical or different, are each chosen from organic groups comprising atoms chosen from carbon atoms, hydrogen atoms, oxygen atoms and nitrogen atoms with the proviso that  $R^3$  comprises at least 2 carbon atoms; and

-  $R^4$ , which are identical or different, are each chosen from hydrogen atoms,  $C_1$  to  $C_{10}$  alkyl groups and a direct bond to at least one group chosen from  $R^3$  and another  $R^4$  such that when said at least one group is chosen from another  $R^4$ , the nitrogen atom to which both  $R^3$  and  $R^4$  are bonded forms part of a heterocyclic structure defined in part by  $R^4-N-R^3$ , with the proviso that at least 50% of all  $R^4$  are chosen from hydrogen atoms.

101. (Withdrawn) The composition according to claim 100, wherein in said formula (I),  $n$  is an integer ranging from 1 to 5.

102. (Withdrawn) The composition according to claim 101, wherein in said formula (I),  $n$  is an integer ranging from 3 to 5.

103. (Withdrawn) The composition according to claim 100, wherein in said formula (I), said alkyl groups of  $R^1$  and said alkenyl groups of  $R^1$  each independently comprise from 4 to 24 carbon atoms.

104. (Withdrawn) The composition according to claim 103, wherein in said formula (I),  $R^1$ , which are identical or different, are each chosen from  $C_{12}$  to  $C_{22}$  alkyl groups.

105. (Withdrawn) The composition according to claim 104, wherein in said formula (I),  $R^1$ , which are identical or different, are each chosen from  $C_{16}$  to  $C_{22}$  alkyl groups.

106. (Withdrawn) The composition according to claim 100, wherein in said formula (I),  $R^2$ , which are identical or different, are each chosen from  $C_{10}$  to  $C_{42}$  hydrocarbon based groups with the proviso that at least 50% of all  $R^2$  are chosen from  $C_{30}$  to  $C_{42}$  hydrocarbon based groups.

107. (Withdrawn) The composition according to claim 106, wherein at least 75% of all  $R^2$ , which are identical or different, are chosen from  $C_{30}$  to  $C_{42}$  hydrocarbon based groups.

108. (Withdrawn) The composition according to claim 100, wherein in said formula (I),  $R^3$ , which can be identical or different, are each chosen from  $C_2$  to  $C_{36}$  hydrocarbon-based groups and polyoxyalkylene groups.

109. (Withdrawn) The composition according to claim 108, wherein  $R^3$ , which can be identical or different, are each chosen from  $C_2$  to  $C_{12}$  hydrocarbon-based groups.

110. (Withdrawn) The composition according to claim 100, wherein in said formula (I),  $R^4$ , which can be identical or different, are each chosen from hydrogen atoms.

111. (Withdrawn) The composition according to claim 100, wherein said at least one polymer of formula (I) is in the form of a mixture of polymers, wherein said mixture optionally also comprises a compound of formula (I) wherein  $n$  is equal to zero.

112. (Withdrawn) The composition according to claim 83, wherein said at least one polyamide polymer is chosen from polymers resulting from at least one polycondensation reaction between at least one dicarboxylic acid comprising at least 32 carbon atoms and at least one amine chosen from diamines comprising at least 2 carbon atoms and triamines comprising at least 2 carbon atoms.

113. (Withdrawn) The composition according to claim 112, wherein said at least one dicarboxylic acid comprises from 32 to 44 carbon atoms and said at least one amine comprises from 2 to 36 carbon atoms.



114. (Withdrawn) The composition according to claim 113, wherein said at least one dicarboxylic acid is chosen from dimers of at least one fatty acid comprising at least 16 carbon atoms.

115. (Withdrawn) The composition according to claim 114, wherein said at least one fatty acid is chosen from oleic acid, linoleic acid and linolenic acid.

116. (Withdrawn) The composition according to claim 112, wherein said at least one amine is chosen from ethylenediamine, hexylenediamine, hexamethylenediamine, phenylenediamine and ethylenetriamine.

117. (Withdrawn) The composition according to claim 83, wherein said at least one polyamide polymer is chosen from polymers comprising at least one terminal carboxylic acid group.

118. (Withdrawn) The composition according to claim 117, wherein said at least one terminal carboxylic acid group is esterified with at least one alcohol chosen from monoalcohols comprising at least 4 carbon atoms.

119. (Withdrawn) The composition according to claim 83, wherein said at least one polyamide polymer is chosen from:

- polymers chosen from mixtures of copolymers derived from monomers of (i) C<sub>36</sub> diacids and (ii) ethylenediamine, and having a weight-average molecular mass of about 6000;

- polyamide polymers resulting from the condensation of at least one aliphatic dicarboxylic acid and at least one diamine, the carbonyl and amine groups being condensed via an amide bond; and

- polyamide resins from vegetable sources.

120. (Withdrawn) The composition according to claim 83, wherein said at least one polyamide polymer has a softening point greater than 50°C.

121. (Withdrawn) The composition according to claim 120, wherein said at least one polyamide polymer has a softening point ranging from 65°C to 190°C.

122. (Withdrawn) The composition according to claim 121, wherein said at least one polyamide polymer has a softening point ranging from 70°C to 130°C.

123. (Withdrawn) The composition according to claim 122, wherein said at least one polyamide polymer has a softening point ranging from 80°C to 105°C.

124. (Withdrawn) The composition according to claim 83, wherein said at least one polyamide polymer is present in the composition in an amount ranging from 0.5% to 80% by weight relative to the total weight of the composition.

125. (Withdrawn) The composition according to claim 124, wherein said at least one polyamide polymer is present in the composition in an amount ranging from 2% to 60% by weight relative to the total weight of the composition.

126. (Withdrawn) The composition according to claim 125, wherein said at least one polyamide polymer is present in the composition in an amount ranging from 5% to 40% by weight relative to the total weight of the composition.

127. (Withdrawn) The composition according to claim 83, wherein said composition has a hardness ranging from 30 to 300 g.

128. (Withdrawn) The composition according to claim 127, wherein said composition has a hardness ranging from 30 to 250 g.

129. (Withdrawn) The composition according to claim 128, wherein said composition has a hardness ranging from 30 to 200 g.

130. (Withdrawn) The composition according to claim 83, wherein said at least one liquid fatty phase of the composition comprises at least one oil.

131. (Withdrawn) The composition according to claim 130, wherein said at least one oil is chosen from at least one polar oil and at least one apolar oil.

132. (Withdrawn) The composition according to claim 131, wherein said at least one polar oil is chosen from:

- hydrocarbon-based plant oils with a high content of triglycerides comprising fatty acid esters of glycerol in which the fatty acids comprise chains having from 4 to 24 carbon atoms, said chains optionally being chosen from linear and branched, and saturated and unsaturated chains;

- synthetic oils or esters of formula  $R_5COOR_6$  in which  $R_5$  is chosen from linear and branched fatty acid residues comprising from 1 to 40 carbon atoms and  $R_5 + R_6 \geq 10$ ;

- synthetic ethers containing from 10 to 40 carbon atoms;

- $C_8$  to  $C_{26}$  fatty alcohols; and

- $C_8$  to  $C_{26}$  fatty acids.

133. (Withdrawn) The composition according to claim 131, wherein said at least one apolar oil is chosen from:

- silicone oils chosen from volatile and non-volatile, linear and cyclic polydimethylsiloxanes that are liquid at room temperature;
- polydimethylsiloxanes comprising alkyl or alkoxy groups which are pendant and/or at the end of the silicone chain, the groups each containing from 2 to 24 carbon atoms;
- phenylsilicones; and
- hydrocarbons chosen from linear and branched, volatile and non-volatile hydrocarbons of synthetic and mineral origin.

134. (Withdrawn) The composition according to claim 83, wherein said at least one liquid fatty phase comprises at least one non-volatile oil.

135. (Withdrawn) The composition according to claim 134, wherein said at least one non-volatile oil is chosen from hydrocarbon-based oils of mineral, plant and synthetic origin, synthetic esters and ethers, and silicone oils.

136. (Withdrawn) The composition according to claim 83, wherein said at least one liquid fatty phase is present in an amount ranging from 1% to 99% by weight relative to the total weight of the composition.

137. (Withdrawn) The composition according to claim 136, wherein said at least one liquid fatty phase is present in an amount ranging from 5% to 95.5% by weight relative to the total weight of the composition.

138. (Withdrawn) The composition according to claim 137, wherein said at least one liquid fatty phase is present in an amount ranging from 10% to 80% by weight relative to the total weight of the composition.

139. (Withdrawn) The composition according to claim 138, wherein said at least one liquid fatty phase is present in an amount ranging from 20% to 75% by weight relative to the total weight of the composition.

140. (Withdrawn) The composition according to claim 83, wherein said at least one liquid fatty phase comprises at least one volatile solvent chosen from hydrocarbon-based solvents and silicone solvents optionally comprising alkyl or alkoxy groups that are pendant or at the end of a silicone chain.

141. (Withdrawn) The composition according to claim 140, wherein said at least one volatile solvent is present in an amount up to 95.5% relative to the total weight of the composition.

142. (Withdrawn) The composition according to claim 141, wherein said at least one volatile solvent is present in an amount ranging from 2% to 75% relative to the total weight of the composition.

143. (Withdrawn) The composition according to claim 142, wherein said at least one volatile solvent is present in an amount ranging from 10% to 45% relative to the total weight of the composition.

144. (Withdrawn) The composition according to claim 83, wherein said composition further comprises at least one additional fatty material.

145. (Withdrawn) The composition according to claim 144, wherein said at least one additional fatty material is chosen from gums, fatty materials pasty at ambient temperature, and resins.

146. (Withdrawn) The composition according to claim 83, wherein said at least one film-forming silicone resin is chosen from silsesquioxanes and siloxysilicates.

147. (Withdrawn) The composition according to claim 146, wherein said silsesquioxanes comprise repeating units of  $(\text{RSiO}_{3/2})_x$  where X is less than 2000.

148. (Withdrawn) The composition according to claim 147, wherein x is 500 or less.

149. (Withdrawn) The composition according to claim 148, wherein said silsesquioxanes are chosen from polymethylsilsesquioxanes comprising repeating units of formula  $(\text{CH}_3\text{SiO}_{3/2})$ .

150. (Withdrawn) The composition according to claim 146, wherein said siloxysilicates are chosen from trimethylsiloxysilicates.

151. (Withdrawn) The composition according to claim 150, wherein said trimethylsiloxysilicates comprise repeating units of  $[(\text{CH}_3)_3\text{-Si-O}]_x\text{-(SiO}_{4/2})_y$ , where x ranges from 50 to 80 and y ranges from 50 to 80.

152. (Withdrawn) The composition according to claim 149, wherein said polymethylsilsesquioxanes comprising repeating units of formula  $(\text{CH}_3\text{SiO}_{3/2})$  further comprise up to 1% of polymerized repeating units of formula  $(\text{CH}_3)_2\text{SiO}_{2/2}$ .

153. (Withdrawn) The composition according to claim 83, wherein the at least one film-forming silicone resin comprises at least two units chosen from M, D, T, and Q and said at least two units satisfy the relationship  $R_nSiO_{(4-n)/2}$  wherein n is a value ranging from 1.0 to 1.50.

154. (Withdrawn) The composition according to claim 153, wherein said at least one film-forming silicone resin is a solid at 25°C.

155. (Withdrawn) The composition according to claim 153, wherein said at least one film-forming silicone resin has a weight average molecular weight ranging from 1000 to 10000 grams/mole.

156. (Withdrawn) The composition according to claim 83, wherein said at least one film-forming silicone resin comprises repeating M units and repeating Q units.

157. (Withdrawn) The composition according to claim 156, wherein the ratio of M units to Q units is 0.7:1.

158. (Withdrawn) The composition according to claim 83, wherein said at least one film-forming silicone resin is present in the composition in an amount ranging from 1% to 10% by weight relative to the total weight of the composition.

159. (Withdrawn) The composition according to claim 83, wherein said composition further comprises at least one additional film-former.

160. (Withdrawn) The composition according to claim 83, wherein the composition is in a form chosen from a fluid anhydrous gel, rigid anhydrous gel, fluid simple emulsion, rigid simple emulsion, fluid multiple emulsion, and rigid multiple emulsion.

161. (Withdrawn) The composition according to claim 83, wherein said composition is a solid.

162. (Withdrawn) The composition according to claim 161, wherein said composition is a solid chosen from molded and poured sticks.

163. (Withdrawn) An anhydrous composition comprising at least one liquid fatty phase which comprises:

(i) at least one structuring polymer comprising:

a polymer skeleton which comprises at least one hydrocarbon-based repeating unit comprising at least one hetero atom; and

(ii) at least one film-forming silicone resin.

164. (Withdrawn) The anhydrous composition according to claim 163, wherein said at least one structuring polymer further comprises at least one of:

at least one terminal fatty chain chosen from alkyl chains and alkenyl chains, wherein said at least one terminal fatty chain is bonded to said polymer skeleton via at least one linking group; and

at least one pendant fatty chain chosen from alkyl chains and alkenyl chains, wherein said at least one pendant fatty chain is bonded to said polymer skeleton via at least one linking group.

165. (Withdrawn) The anhydrous composition according to claim 164, wherein said alkyl chains and said alkenyl chains each comprise at least four carbon atoms.

166. (Withdrawn) The anhydrous composition according to claim 165, wherein said alkyl chains and said alkenyl chains each comprise from 8 to 120 carbon atoms.

167. (Withdrawn) The anhydrous composition according to claim 166, wherein said alkyl chains and said alkenyl chains each comprise from 12 to 68 carbon atoms.

168. (Withdrawn) The anhydrous composition according to claim 164, wherein said at least one linking group is chosen from single bonds and urea, urethane, thiourea, thiourethane, thioether, thioester, ester, ether and amine groups.

169. (Withdrawn) The anhydrous composition according to claim 168, wherein said at least one linking group is an ester group present in a proportion ranging from 15% to 40% of the total number of all ester and hetero atom groups in the at least one structuring polymer.

170. (Withdrawn) The anhydrous composition according to claim 169, wherein said at least one linking group is an ester group present in a proportion ranging from 20% to 35% of the total number of all ester and hetero atom groups in the at least one structuring polymer.

171. (Withdrawn) The anhydrous composition according to claim 164, wherein said at least one terminal fatty chain is functionalized.

172. (Withdrawn) The anhydrous composition according to claim 164, wherein said at least one pendant fatty chain is functionalized.

173. (Withdrawn) The anhydrous composition according to claim 164, wherein in said at least one structuring polymer, the percentage of the total number of fatty chains ranges from 40% to 98% relative to the total number of all repeating units and fatty chains in the at least one structuring polymer.

174. (Withdrawn) The anhydrous composition according to claim 173, wherein in said at least one structuring polymer, the percentage of the total number of fatty chains ranges from 50% to 95% relative to the total number of all repeating units and fatty chains in the at least one structuring polymer.

175. (Withdrawn) The anhydrous composition according to claim 164, wherein said at least one structuring polymer has a weight-average molecular mass of less than 100,000.

176. (Withdrawn) The anhydrous composition according to claim 175, wherein said at least one structuring polymer has a weight-average molecular mass of less than 50,000.

177. (Withdrawn) The anhydrous composition according to claim 176, wherein said at least one structuring polymer has a weight-average molecular mass ranging from 1000 to 30,000.

178. (Withdrawn) The anhydrous composition according to claim 177, wherein said at least one structuring polymer has a weight-average molecular mass ranging from 2000 to 20,000.

179. (Withdrawn) The anhydrous composition according to claim 178, wherein said at least one structuring polymer has a weight-average molecular mass ranging from 2000 to 10,000.

180. (Withdrawn) The anhydrous composition according to claim 179, wherein said at least one hydrocarbon based repeating unit comprises from 2 to 80 carbon atoms.

181. (Withdrawn) The anhydrous composition according to claim 180, wherein said at least one hydrocarbon based repeating unit comprises from 2 to 60 carbon atoms.

182. (Withdrawn) The anhydrous composition according to claim 163, wherein said at least one hydrocarbon based repeating unit is chosen from saturated and

unsaturated hydrocarbon-based units which are chosen from linear hydrocarbon-based repeating units, branched hydrocarbon-based repeating units and cyclic hydrocarbon-based repeating units.

183. (Withdrawn) The anhydrous composition according to claim 163, wherein said at least one hetero atom of said at least one hydrocarbon-based repeating unit is chosen from nitrogen, sulphur, and phosphorus.

184. (Withdrawn) The anhydrous composition according to claim 183, wherein said at least one hetero atom is a nitrogen atom.

185. (Withdrawn) The anhydrous composition according to claim 183, wherein said at least one hetero atom is combined with at least one atom chosen from oxygen and carbon to form a hetero atom group.

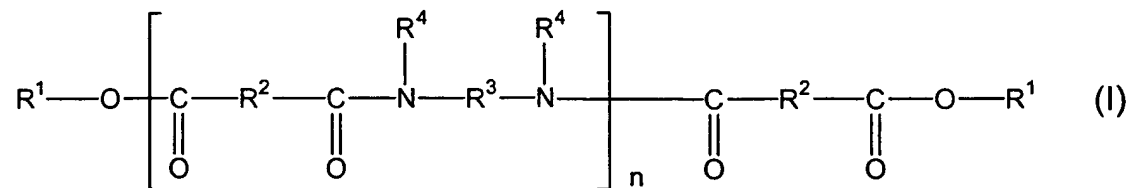
186. (Withdrawn) The anhydrous composition according to claim 185, wherein said at least one hetero atom group further comprises a carbonyl group.

187. (Withdrawn) The anhydrous composition according to claim 185, wherein said at least one hetero atom group is chosen from amide groups, carbamate groups, and urea groups.

188. (Withdrawn) The anhydrous composition according to claim 187, wherein said at least one hetero atom group is an amide group and said polymer skeleton is a polyamide skeleton.

189. (Withdrawn) The anhydrous composition according to claim 187, wherein said at least one hetero atom group is chosen from carbamate groups and urea groups and said polymer skeleton is chosen from a polyurethane skeleton, a polyurea skeleton and a polyurethane-polyurea skeleton.

190. (Withdrawn) The anhydrous composition according to claim 163, wherein said at least one structuring polymer is chosen from polyamide polymers of formula (I):



in which:



-  $n$  is an integer which represents the number of amide units such that the number of ester groups present in said at least one polyamide polymer ranges from 10% to 50% of the total number of all ester groups and all amide groups comprised in said at least one polyamide polymer;

-  $R^1$ , which are identical or different, are each chosen from alkyl groups comprising at least 4 carbon atoms and alkenyl groups comprising at least 4 carbon atoms;

-  $R^2$ , which are identical or different, are each chosen from  $C_4$  to  $C_{42}$  hydrocarbon-based groups with the proviso that at least 50% of all  $R^2$  are chosen from  $C_{30}$  to  $C_{42}$  hydrocarbon-based groups;

-  $R^3$ , which are identical or different, are each chosen from organic groups comprising atoms chosen from carbon atoms, hydrogen atoms, oxygen atoms and nitrogen atoms with the proviso that  $R^3$  comprises at least 2 carbon atoms; and

-  $R^4$ , which are identical or different, are each chosen from hydrogen atoms,  $C_1$  to  $C_{10}$  alkyl groups and a direct bond to at least one group chosen from  $R^3$  and another  $R^4$  such that when said at least one group is chosen from another  $R^4$ , the nitrogen atom to which both  $R^3$  and  $R^4$  are bonded forms part of a heterocyclic structure defined in part by  $R^4-N-R^3$ , with the proviso that at least 50% of all  $R^4$  are chosen from hydrogen atoms.

191. (Withdrawn) The anhydrous composition according to claim 190, wherein in said formula (I),  $n$  is an integer ranging from 1 to 5.

192. (Withdrawn) The anhydrous composition according to claim 191, wherein in said formula (I),  $n$  is an integer ranging from 3 to 5.

193. (Withdrawn) The anhydrous composition according to claim 190, wherein in said formula (I), said alkyl groups of  $R^1$  and said alkenyl groups of  $R^1$  each independently comprise from 4 to 24 carbon atoms.

194. (Withdrawn) The anhydrous composition according to claim 193, wherein in said formula (I),  $R^1$ , which are identical or different, are each chosen from  $C_{12}$  to  $C_{22}$  alkyl groups.

195. (Withdrawn) The anhydrous composition according to claim 194, wherein in said formula (I),  $R^1$ , which are identical or different, are each chosen from  $C_{16}$  to  $C_{22}$  alkyl groups.

196. (Withdrawn) The anhydrous composition according to claim 190, wherein in said formula (I),  $R^2$ , which are identical or different, are each chosen from  $C_{10}$  to  $C_{42}$  hydrocarbon based groups with the proviso that at least 50% of all  $R^2$  are chosen from  $C_{30}$  to  $C_{42}$  hydrocarbon based groups.

197. (Withdrawn) The anhydrous composition according to claim 196, wherein at least 75% of all  $R^2$ , which are identical or different, are chosen from  $C_{30}$  to  $C_{42}$  hydrocarbon based groups.

198. (Withdrawn) The anhydrous composition according to claim 190, wherein in said formula (I),  $R^3$ , which can be identical or different, are each chosen from  $C_2$  to  $C_{36}$  hydrocarbon-based groups and polyoxyalkylene groups.

199. (Withdrawn) The anhydrous composition according to claim 198, wherein  $R^3$ , which can be identical or different, are each chosen from  $C_2$  to  $C_{12}$  hydrocarbon-based groups.

200. (Withdrawn) The anhydrous composition according to claim 199, wherein in said formula (I),  $R^4$ , which can be identical or different, are each chosen from hydrogen atoms.

201. (Withdrawn) The anhydrous composition according to claim 200, wherein said at least one polymer of formula (I) is in the form of a mixture of polymers, wherein said mixture optionally also comprises a compound of formula (I) wherein  $n$  is equal to zero.

202. (Withdrawn) The anhydrous composition according to claim 163, wherein said at least one structuring polymer has a softening point greater than  $50^{\circ}\text{C}$ .

203. (Withdrawn) The anhydrous composition according to claim 202, wherein said at least one structuring polymer has a softening point ranging from  $65^{\circ}\text{C}$  to  $190^{\circ}\text{C}$ .

204. (Withdrawn) The anhydrous composition according to claim 203, wherein said at least one structuring polymer has a softening point ranging from  $70^{\circ}\text{C}$  to  $130^{\circ}\text{C}$ .

205. (Withdrawn) The anhydrous composition according to claim 204, wherein said at least one structuring polymer has a softening point ranging from  $80^{\circ}\text{C}$  to  $105^{\circ}\text{C}$ .

206. (Withdrawn) The anhydrous composition according to claim 163, wherein said at least one structuring polymer is present in the composition in an amount ranging from 0.5% to 80% by weight relative to the total weight of the composition.

207. (Withdrawn) The anhydrous composition according to claim 206, wherein said at least one structuring polymer is present in the composition in an amount ranging from 2% to 60% by weight relative to the total weight of the composition.

208. (Withdrawn) The anhydrous composition according to claim 207, wherein said at least one structuring polymer is present in the composition in an amount ranging from 5% to 40% by weight relative to the total weight of the composition.

209. (Withdrawn) The anhydrous composition according to claim 163, wherein said composition has a hardness ranging from 30 to 300 g.

210. (Withdrawn) The anhydrous composition according to claim 209, wherein said composition has a hardness ranging from 30 to 250 g.

211. (Withdrawn) The anhydrous composition according to claim 210, wherein said composition has a hardness ranging from 30 to 200 g.

212. (Withdrawn) The anhydrous composition according to claim 163 wherein said at least one liquid fatty phase of the composition comprises at least one oil.

213. (Withdrawn) The anhydrous composition according to claim 212, wherein said at least one oil is chosen from at least one polar oil and at least one apolar oil.

214. (Withdrawn) The anhydrous composition according to claim 213, wherein said at least one polar oil is chosen from:

- hydrocarbon-based plant oils with a high content of triglycerides comprising fatty acid esters of glycerol in which the fatty acids comprise chains having from 4 to 24 carbon atoms, said chains optionally being chosen from linear and branched, and saturated and unsaturated chains;

- synthetic oils or esters of formula  $R_5COOR_6$  in which  $R_5$  is chosen from linear and branched fatty acid residues comprising from 1 to 40 carbon atoms and  $R_5 + R_6 \geq 10$ ;

- synthetic ethers containing from 10 to 40 carbon atoms;

- $C_8$  to  $C_{26}$  fatty alcohols; and

- $C_8$  to  $C_{26}$  fatty acids.

215. (Withdrawn) The anhydrous composition according to claim 213, wherein said at least one apolar oil is chosen from:

- silicone oils chosen from volatile and non-volatile, linear and cyclic polydimethylsiloxanes that are liquid at room temperature;
- polydimethylsiloxanes comprising alkyl or alkoxy groups which are pendant and/or at the end of the silicone chain, the groups each containing from 2 to 24 carbon atoms;
- phenylsilicones; and
- hydrocarbons chosen from linear and branched, volatile and non-volatile hydrocarbons of synthetic and mineral origin.

216. (Withdrawn) The anhydrous composition according to claim 163, wherein said at least one liquid fatty phase comprises at least one non-volatile oil.

217. (Withdrawn) The anhydrous composition according to claim 216, wherein said at least one non-volatile oil is chosen from hydrocarbon-based oils of mineral, plant and synthetic origin, synthetic esters and ethers, and silicone oils.

218. (Withdrawn) The anhydrous composition according to claim 163, wherein said at least one liquid fatty phase is present in an amount ranging from 1% to 99% by weight relative to the total weight of the composition.

219. (Withdrawn) The anhydrous composition according to claim 218, wherein said at least one liquid fatty phase is present in an amount ranging from 5% to 95.5% by weight relative to the total weight of the composition.

220. (Withdrawn) The anhydrous composition according to claim 219, wherein said at least one liquid fatty phase is present in an amount ranging from 10% to 80% by weight relative to the total weight of the composition.

221. (Withdrawn) The anhydrous composition according to claim 220, wherein said at least one liquid fatty phase is present in an amount ranging from 20% to 75% by weight relative to the total weight of the composition.

222. (Withdrawn) The anhydrous composition according to claim 163, wherein said at least one liquid fatty phase comprises at least one volatile solvent chosen from hydrocarbon-based solvents and silicone solvents optionally comprising alkyl or alkoxy groups that are pendant or at the end of a silicone chain.

223. (Withdrawn) The anhydrous composition according to claim 222, wherein said at least one volatile solvent is present in an amount up to 95.5% relative to the total weight of the composition.

224. (Withdrawn) The anhydrous composition according to claim 223, wherein said at least one volatile solvent is present in an amount ranging from 2% to 75% relative to the total weight of the composition.

225. (Withdrawn) The anhydrous composition according to claim 224, wherein said at least one volatile solvent is present in an amount ranging from 10% to 45% relative to the total weight of the composition.

226. (Withdrawn) The anhydrous composition according to claim 163, wherein said composition further comprises at least one additional fatty material.

227. (Withdrawn) The anhydrous composition according to claim 226, wherein said at least one additional fatty material is chosen from gums, fatty materials pasty at ambient temperature, and resins.

228. (Withdrawn) The anhydrous composition according to claim 163, wherein said at least one film-forming silicone resin is chosen from silsesquioxanes and siloxysilicates.

229. (Withdrawn) The anhydrous composition according to claim 228, wherein said silsesquioxanes comprise repeating units of  $(\text{RSiO}_{3/2})_x$  where X is less than 2000.

230. (Withdrawn) The anhydrous composition according to claim 229, wherein x is 500 or less.

231. (Withdrawn) The anhydrous composition according to claim 228, wherein said silsesquioxanes are chosen from polymethylsilsesquioxanes comprising repeating units of formula  $(\text{CH}_3\text{SiO}_{3/2})$ .

232. (Withdrawn) The anhydrous composition according to claim 228, wherein said siloxysilicates are chosen from trimethylsiloxysilicates.

233. (Withdrawn) The anhydrous composition according to claim 232, wherein said trimethylsiloxysilicates comprise repeating units of  $[(\text{CH}_3)_3\text{-Si-O}]_x\text{-(SiO}_{4/2})_y$ , where x ranges from 50 to 80 and y ranges from 50 to 80.

234. (Withdrawn) The anhydrous composition according to claim 231, wherein said polymethylsilsesquioxanes comprising repeating units of formula  $(\text{CH}_3\text{SiO}_{3/2})$  further comprise up to 1% of polymerized repeating units of formula  $(\text{CH}_3)_2\text{SiO}_{2/2}$ .

235. (Withdrawn) The anhydrous composition according to claim 163, wherein the at least one film-forming silicone resin comprises at least two units chosen from M, D, T, and Q and said at least two units satisfy the relationship  $\text{R}_n\text{SiO}_{(4-n)/2}$  wherein n is a value ranging from 1.0 to 1.50.

236. (Withdrawn) The anhydrous composition according to claim 235, wherein said at least one film-forming silicone resin is a solid at 25°C.

237. (Withdrawn) The anhydrous composition according to claim 235, wherein said at least one film-forming silicone resin has a weight average molecular weight ranging from 1000 to 10000 grams/mole.

238. (Withdrawn) The anhydrous composition according to claim 163, wherein said at least one film-forming silicone resin comprises repeating M units and repeating Q units.

239. (Withdrawn) The anhydrous composition according to claim 238, wherein the ratio of M units to Q units is 0.7:1.

240. (Withdrawn) The anhydrous composition according to claim 163, wherein said at least one film-forming silicone resin is present in the composition in an amount ranging from 1% to 10% by weight relative to the total weight of the composition.

241. (Withdrawn) The anhydrous composition according to claim 163, wherein said composition further comprises at least one additional film-former.

242. (Withdrawn) The anhydrous composition according to claim 163, wherein the composition is in a form chosen from a fluid anhydrous gel, rigid anhydrous gel, fluid simple emulsion, rigid simple emulsion, fluid multiple emulsion, and rigid multiple emulsion.

243. (Withdrawn) The anhydrous composition according to claim 163, wherein said composition is a solid.

244. (Withdrawn) The anhydrous composition according to claim 243, wherein said composition is a solid chosen from molded and poured sticks.

245. (Original) A foundation, mascara, eye liner, concealer, lipstick, blush for cheeks or eyelids, body makeup, sun screen, deodorant, colorant for skin or hair, skin care formula, shampoo, after shampoo treatment, or makeup removing product comprising:

at least one liquid fatty phase in said foundation, mascara, eye liner, concealer, lipstick, blush for cheeks or eyelids, body makeup, sun screen, deodorant, colorant for skin or hair, skin care formula, shampoo, after shampoo treatment, or makeup removing product which comprises:

(i) at least one structuring polymer comprising:

a polymer skeleton which comprises at least one hydrocarbon-based repeating unit comprising at least one hetero atom; and

(ii) at least one film-forming silicone resin.

246. (Original) The composition according to claim 245, wherein said composition is a solid.

247. (Original) A make-up and/or care and/or treatment composition for keratinous fibers comprising:

at least one liquid fatty phase in said composition which comprises:

(i) at least one structuring polymer comprising:

a polymer skeleton which comprises at least one hydrocarbon-based repeating unit comprising at least one hetero atom; and

(ii) at least one film-forming silicone resin.

248. (Withdrawn) A lipstick composition in stick form comprising at least one continuous liquid fatty phase, at least one film-forming silicone resin, and at least one non-waxy structuring polymer having a weight-average molecular mass of less than 100,000 in said lipstick, said continuous liquid fatty phase, said at least one film-forming resin and said at least one non-waxy structuring polymer being present in said lipstick composition.

249. (Withdrawn) A treatment, care or make-up composition for keratinous fibers

comprising a structured composition containing at least one liquid fatty phase in said treatment, care or make-up composition structured with at least one structuring

polymer comprising a polymer skeleton comprising at least one hydrocarbon-based repeating unit comprising at least one hetero atom, at least one film-forming silicone resin, and at least one coloring agent.

250. (Withdrawn) A structured composition comprising at least one liquid fatty phase structured with at least one structuring polymer comprising a polymer skeleton comprising at least one hydrocarbon-based repeating unit comprising at least one hetero atom, wherein the at least one structuring polymer further comprises at least one terminal fatty chain, optionally functionalized, chosen from alkyl chains and alkenyl chains, wherein said at least one terminal fatty chain is bonded to said polymer skeleton via at least one linking group chosen from amides, ureas, and esters, wherein when said at least one linking group is chosen from esters, said at least one terminal fatty chain is chosen from branched alkyl groups and at least one film-forming silicone resin.

251. (Withdrawn) A composition according to claim 250, wherein said at least one structuring polymer may also comprise at least one pendant fatty chain, optionally functionalized, chosen from alkyl chains and alkenyl chains, wherein said at least one pendant fatty chain is bonded to said polymer skeleton via bonded to any carbon or hetero atom of the polymer skeleton via at least one linking group chosen from amides, ureas, and esters, wherein when said at least one linking group is chosen from esters, said at least one pendant fatty chain is chosen from branched alkyl groups.

252. (Withdrawn) A structured composition comprising at least one liquid fatty phase structured with at least one structuring polymer comprising a polymer skeleton comprising at least one hydrocarbon-based repeating unit comprising at least one hetero atom, wherein the at least one structuring polymer further comprises at least one pendant fatty chain, optionally functionalized, chosen from alkyl chains and alkenyl chains, wherein said at least one pendant fatty chain is bonded to said polymer skeleton via at least one linking group chosen from amides, ureas, and esters, wherein when said at least one linking group is chosen from esters, said at least one pendant fatty chain is chosen from branched alkyl groups and at least one film-forming silicone resin.

253. (Original) A method for care, make up, or treatment of a keratin material chosen from lips, skin, and keratinous fibers, comprising the application to said keratin material of a cosmetic composition comprising:



at least one liquid fatty phase which comprises:

(i) at least one structuring polymer comprising:

a polymer skeleton which comprises at least one hydrocarbon-based repeating unit comprising at least one hetero atom; and

(ii) at least one film-forming silicone resin.

254. (Original) A method for making a cosmetic composition in the form of a physiologically acceptable composition comprising including in said composition

at least one liquid fatty phase which comprises:

(i) at least one structuring polymer comprising:

a polymer skeleton which comprises at least one hydrocarbon-based repeating unit comprising at least one hetero atom; and

(ii) at least one film-forming silicone resin.

255. (Withdrawn) A method for making a transfer-resistant composition comprising combining:

(i) at least one structuring polymer comprising:

a polymer skeleton which comprises at least one hydrocarbon-based repeating unit comprising at least one hetero atom; and

(ii) at least one film-forming silicone resin,

wherein said at least one film-forming silicon resin and said at least one structuring polymer are present in an amount effective to provide transfer resistant properties.

256. (Withdrawn) A composition comprising at least one liquid fatty phase which comprises:

(i) at least one structuring polymer comprising:

a polymer skeleton which comprises at least one hydrocarbon-based repeating unit comprising at least one hetero atom; and at least one terminal fatty chain chosen from alkyl chains and alkenyl chains, wherein said at least one terminal fatty chain is bonded to said polymer skeleton via at least one linking group; and

(ii) at least one film-forming silicone resin.

257. (Withdrawn) A composition comprising at least one liquid fatty phase which comprises:

(i) at least one structuring polymer comprising  
a polymer skeleton which comprises at least one hydrocarbon-based  
repeating unit comprising at least one hetero atom with the proviso that said at least one  
hetero atom is not nitrogen; and

(ii) at least one film-forming silicone resin.

258. (Withdrawn) A deodorant product or a care product for the skin or body  
comprising an anhydrous composition comprising at least one liquid fatty phase in said  
product which comprises:

(i) at least one structuring polymer comprising:

a polymer skeleton which comprises at least one hydrocarbon-based  
repeating unit comprising at least one hetero atom; and

(ii) at least one film-forming silicone resin.

259. (Withdrawn) The composition according to claim 6, wherein said at least  
one linking group is chosen from urea, ester, and amine groups.

260. (Withdrawn) The composition according to claim 259, wherein said at  
least one linking group is chosen from ester and amine groups.

261. (Withdrawn) The composition according to claim 88, wherein said at least  
one linking group is chosen from urea, ester, and amine groups.

262. (Withdrawn) The composition according to claim 261, wherein said at  
least one linking group is chosen from ester and amine groups.

263. (Withdrawn) The anhydrous composition according to claim 168, wherein  
said at least one linking group is chosen from urea, ester, and amine groups.

264. (Withdrawn) The composition according to claim 263, wherein said at  
least one linking group is chosen from ester and amine groups.

265. (Withdrawn) An anhydrous composition comprising at least one liquid  
fatty phase which comprises:

(i) at least one structuring polymer comprising:

a polymer skeleton which comprises at least three hydrocarbon-based  
repeating units comprising at least one hetero atom; and

(ii) at least one film-forming silicone resin.

266. (Withdrawn) An anhydrous composition according to claim 265, wherein said at least three hydrocarbon-based repeating units are identical.

267. (Withdrawn) A composition comprising at least one liquid fatty phase which comprises:

(i) at least one structuring polymer comprising: a polymer skeleton which comprises a) at least one hydrocarbon-based repeating unit comprising at least one hetero atom and b) at least one of:

- at least one terminal fatty chain, optionally functionalized, chosen from alkyl chains and alkenyl chains, wherein said at least one terminal fatty chain is bonded to said polymer skeleton via at least one linking group; and

- at least one pendant fatty chain, optionally functionalized, chosen from alkyl chains and alkenyl chains, wherein said at least one pendant fatty chain is bonded to said polymer skeleton via at least one linking group; and

(ii) at least one film-forming silicone resin.